

CLERK'S OFFICE

APPROVED

Date: 1-30-01

NOTICE OF RECONSIDERATION WAS
GIVEN BY MS. CLEMENTSON 1-31-01

Submitted by: Assemblymembers ABNEY, Tesche

Prepared by: Assembly Office

For reading: JANUARY 30, 2001

*Reconsideration
Failed 2-06-01*

ANCHORAGE, ALASKA

AR NO. 2001- 26

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY SUPPORTING HOUSE BILL
13, "AN ACT RELATING TO MUNICIPAL SERVICE AREAS AND PROVIDING FOR VOTER
APPROVAL OF THE FORMATION, ALTERATION, OR ABOLISHMENT OF CERTAIN SERVICE
AREAS".

WHEREAS, Alaska's Constitution provides for maximum local self-government (Art. X, Sec. 1), and for the creation, alteration, or abolishment of service areas subject to the provisions of law (Art. X, Sec. 5); and AS 29.35.450 codifies these Constitutional provisions and establishes the mechanism by which service areas are created, altered, and abolished; and

WHEREAS, Alaska has over 200 service areas - in these areas the local residents use private contractors for necessary services and assess themselves to pay for a desired level of service; and

WHEREAS, House Bill 13, sponsored by State Representative Bunde, amends AS 29.35.450 by:

Clearly identifying who should vote under the following scenarios:

Abolishment of a service area - subject to approval by the majority of the voters residing in the service area.

Abolishment and replacement of a service area - must be approved separately by a majority of voters residing in an existing service area and by a majority of the voters residing in the proposed service area, but outside the existing service area.

Alteration of a service area or combining it with another service area - must be approved separately by a majority of the voters who vote on the question and reside in each of the service areas or in the proposed service area affected by the proposal.

This legislation will settle a long-time debate about who is entitled to vote during the creation, alteration or abolishment of a service area.

Allowing for differential tax zones within a service area, thus allowing smaller areas to combine with larger service areas and to assess themselves at different levels within the combined area - achieving economies of scale and getting the level of service they need.

This legislation will result in fewer service areas and it will decrease the burden on municipal and borough governments.

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4 NOW, THEREFORE, the Anchorage Municipal Assembly resolves

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6 Section 1: That the Assembly supports House Bill 13.

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8 Section 2: That, upon passage and approval, a copy of this resolution be forwarded to
9 the State Legislature.

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11 PASSED AND APPROVED by the Anchorage Municipal Assembly this 30 day of
12 January, 2001.

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Chair Fay Von Lemmingen

ATTEST:

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Lexine Ferguson
Municipal Clerk

HOUSE BILL NO. 13

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE BUNDE

Introduced: 1/8/01

Referred: Community and Regional Affairs, Finance

A BILL

FOR AN ACT ENTITLED

"An Act relating to municipal service areas and providing for voter approval of the
 2 formation, alteration, or abolishment of certain service areas."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 29.10.200 is amended by adding a new paragraph to read:

5 (60) AS 29.35.450 (voter approval of alteration or abolishment of
 6 service areas).

7 * Sec. 2. AS 29.35.450(a) is amended to read:

8 (a) A service area to provide special services in a borough or unified
 9 municipality may be established, operated, altered, or abolished by ordinance,
 10 subject to (c) of this section. Special services include services not provided by the
unified municipality or a higher or different level of services. Special services
 12 include services not provided by a borough on an areawide or nonareawide basis in
 13 the borough [,] or a higher or different level of services [SERVICE] than that provided
 14 on an areawide or nonareawide basis. A [THE] borough may include a city in a

1 service area if

2 (1) the city agrees by ordinance; or

3 (2) approval is granted by a majority of voters residing in the city, and
4 by a majority of voters residing inside the boundaries of the proposed service area but
5 outside of the city.

6 * Sec. 3. AS 29.35.450 is amended by adding new subsections to read:

7 (c) If voters reside within a service area that provides road or fire protection
8 services, abolishment of the service area is subject to approval by the majority of the
9 voters residing in the service area who vote on the question. A service area that
10 provides road or fire protection services in which voters reside may not be abolished
11 and replaced by a larger service area unless that proposal is approved, separately, by a
12 majority of the voters who vote on the question residing in the existing service area
13 and by a majority of the voters who vote on the question residing in the area proposed
14 to be included within the new service area but outside of the existing service area. A
15 service area that provides road or fire protection services in which voters reside may
16 not be altered or combined with another service area unless that proposal is approved,
17 separately, by a majority of the voters who vote on the question and who reside in
18 each of the service areas or in the area outside of service areas that is affected by the
19 proposal. This subsection does not apply to a proposed change to a service area that
20 provides fire protection services that would result in increasing the number of parcels
21 of land in the service area or successor service area if the increase is no more than six
22 percent.

23 (d) This section applies to a home rule or general law municipality, except that
24 (c) of this section does not apply to a second class borough with a population that is
25 over 50,000 and under 80,000.

26 * Sec. 4. AS 29.35.470 is amended by adding a new subsection to read:

27 (b) The assembly may by ordinance establish, alter, and abolish differential
28 tax zones within a service area to provide and levy property taxes for a different level
29 of services than that provided generally in the service area.

new
1/31/01



1/31/01

hereby give Notice of Reconsideration
on AR 2001 26

Clay Clementson

second it
Fay Von Lemmings

**Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
AGENDA DOCUMENT CONTROL SHEET**

An 2001 26

1	SUBJECT OF AGENDA DOCUMENT		DATE PREPARED
	<i>AR Supporting HB 13</i>		<i>1/24/01</i>
			INDICATE DOCUMENTS ATTACHED
			<i>AR</i>
2	DEPARTMENT NAME Assembly	DIRECTOR'S NAME Fay Von Gemmingen	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY		HIS/HER PHONE NUMBER 4751
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
	Mayor		
	Heritage Land Bank		
	Merrill Field Airport		
	Municipal Light & Power		
	Port of Anchorage		
	Solid Waste Services		
	Water & Wastewater Utility		
	Municipal Manger		
	Cultural & Recreational Services		
	Employee Relations		
	Finance, Chief Fiscal Officer		
	Fire		
	Health & Human Services		
	Office of Management and Budget		
	Management Information Services		
	Police		
	Planning, Development & Public Works		
	Development Services		
	Facility Management		
	Planning		
	Project Management & Engineering		
	Street Maintenance		
	Traffic		
	Public Transportation Department		
	Purchasing		
	Municipal Attorney		
	Municipal Clerk		
	Other		
5	SPECIAL INSTRUCTIONS/COMMENTS		
	<i>For Action 9.C.3.</i>		
6	ASSEMBLY MEETING DATE	7	PUBLIC HEARING DATE REQUESTED
	<i>1/30/01</i>		

M.D.A.
 2001 JAN 25 AM 9:37
 CLERK'S OFFICE